

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF THE CINCINNATI SMSA LIMITED)
PARTNERSHIP FOR THE ISSUANCE OF A)
CERTIFICATE OF PUBLIC CONVENIENCE AND) CASE NO.
NECESSITY TO CONSTRUCT A NEW CELL FACILITY) 91-245
FOR ITS DOMESTIC PUBLIC CELLULAR RADIO)
TELECOMMUNICATIONS SERVICE IN WILLIAMSTOWN,)
KENTUCKY IN THE B2 PORTION OF KENTUCKY RSA 7)

O R D E R

On August 8, 1991, Cincinnati SMSA Limited Partnership ("Cincinnati SMSA") filed an application seeking a Certificate of Public Convenience and Necessity to construct and operate a cellular radio telecommunications system for the Rural Service Area #7 ("RSA #7") in Kentucky. RSA #7 includes Franklin, Shelby, Henry, Trimble, Owen, Carroll, Gallatin, Grant, Pendleton, and Harrison counties in Kentucky. Cincinnati SMSA has requested authorization to construct a cell site in Williamstown, Kentucky.

The proposed cell site consists of a 297 foot antenna tower to be located at 324 Barnes Pike in Williamstown, Kentucky.

Cincinnati SMSA has provided information regarding the structure of the tower, safety measures, and antenna design criteria for the cell site. Based upon the application, the tower and foundation design appear to meet the criteria of the Building Officials and Code Administrators International, Inc. (BOCA)

National Building Code, with reference to earthquakes, winds, and tornadoes.

Pursuant to KRS 100.324(1), the proposed cell site's construction is exempt from local zoning ordinances. Cincinnati SMSA has filed applications with the Federal Aviation Administration, the Kentucky Airport Zoning Commission, and the Federal Communications Commission seeking approval for construction and operation of the proposed cell sites. These applications have been approved.

On August 19, 1991, Cincinnati SMSA filed an affidavit verifying that each resident/property owner whose property lies within 500 feet of the proposed cell site has been notified. The notice, which was mailed on August 8, 1991, solicited comments from the residents and property owners and informed them of their right to intervene. No comments were received.

The Commission, having considered the evidence of record and being otherwise sufficiently advised, HEREBY ORDERS that:

1. Cincinnati SMSA be and it hereby is granted a Certificate of Public Convenience and Necessity to operate a cellular telecommunications system in the RSA #7.

2. Cincinnati SMSA be and it hereby is granted a Certificate of Public Convenience and Necessity to construct and operate a 297 foot cellular telecommunications tower in the RSA #7 at 324 Barnes Pike in Williamstown, Kentucky.

3. Within 30 days from the date of this Order, Cincinnati SMSA shall file its tariff sheets in accordance with 807 KAR 5:011.

Done at Frankfort, Kentucky, this 30th day of September, 1991.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman

Commissioner

ATTEST:


Executive Director